

**CITY OF GRAHAM
REGULAR SESSION AGENDA
TUESDAY, MAY 1, 2018
7:00 P.M.**

Meeting called to order by the Mayor
Invocation and Pledge of Allegiance

1. Consent Agenda:

- a. Approval of Minutes – April 3, 2018 Regular Session
- b. Tax Releases & Refunds
- c. Request from the Recreation and Parks Department to close the 100 block of East Elm Street and the 100 block of West Elm Street from 12:00 p.m.-10:00 p.m. on June 23, 2018 for the 2018 Slice of Summer Festival
- d. Request from the Recreation and Parks Department to close the 100 block of East Elm Street from 12:00 a.m.-11:00 p.m. and the 100 block of West Elm Street from 5:00 p.m.-11:00 p.m. on October 26, 2018 (Rain Date October 27, 2018) for the Downtown Pumpkin Bash
- e. Appoint Jerry Cummings to the Graham Historical Museum Advisory Board. Term to expire June 30, 2021
- f. Appoint Carla Smith to the Graham Historic Resources Commission. Term to expire June 30, 2020
- g. Request from Alamance County Manager Bryan Hagood to block off the north and south side of West Elm Street from Maple Street to the first turnaround in the island past the Criminal Courts Building from 9:30 a.m.-1:00 p.m. on May 28, 2018 for the Annual Memorial Day Ceremony
- h. Approve Audit Contract with Stout Stuart McGowen & King, LLP

2. Old Business:

- a. Temporary Outdoor Sales Ordinance Update
- b. Downtown Infrastructure Grant

3. Recommendations from Planning Board:

- a. Public Hearing: New Street Duplex (SUP1801). Application by Mohammad Bhatti for a new duplex at 708 ½ New Street, GPIN 8884076833
- b. Public Hearing: Melville Street Duplex (SUP1802). Application from Tanya Dunbar-Stone for construction of a new duplex at 306 and 308 South Melville Street, GPIN 8884227612
(application withdrawn April 11, 2018)

4. Preliminary Water and Wastewater System Development Fee Analysis – Glynn Fleming, Alley, Williams, Carmen & King

5. Dr. William Harrison, Alamance Burlington School System

6. Burlington-Graham Urban Area Metropolitan Planning Organization Funding Request

7. Issues Not on Tonight's Agenda

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, APRIL 3, 2018
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, April 3, 2018, in the Council Chambers of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Lee Kimrey
Council Member Griffin McClure
Council Member Chip Turner
Council Member Melody Wiggins

Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Alexa Powell, Planner
Jeff Prichard, Police Chief
Duane Flood, Graham Police Lieutenant
Lorrie Andrews, Human Resources Manager
Sophie Mann, Human Resources Intern

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Council Member Melody Wiggins gave the invocation and everyone stood to recite the Pledge of Allegiance.

Human Resources Manager Lorrie Andrews introduced Human Resources Intern Sophie Mann. Ms. Mann stated she is a candidate for graduation from Appalachian State University this May and has enjoyed her time working for the City this semester.

Consent Agenda:

- a. Approval of Minutes – March 5, 2018 Special Session*
- b. Approval of Minutes – March 6, 2018 Regular Session*
- c. Approval of Minutes – March 15, 2018 Special Session*
- d. Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS				
APRIL COUNCIL MEETING				
ACCT #	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
156161	2017	HOCHREITHER, PHILIP STRATTON	SOLD THE BOAT	5.01
462397	2017	ALAMANCE HEALTH CARE	BILLED GRAHAM, S/B CITY OF BURLINGTON	32.76
462397	2016	ALAMANCE HEALTH CARE	BILLED GRAHAM, S/B CITY OF BURLINGTON	51.37
462397	2015	ALAMANCE HEALTH CARE	BILLED GRAHAM, S/B CITY OF BURLINGTON	44.48
462397	2014	ALAMANCE HEALTH CARE	BILLED GRAHAM, S/B CITY OF BURLINGTON	41.82
462397	2013	ALAMANCE HEALTH CARE	BILLED GRAHAM, S/B CITY OF BURLINGTON	34.61
462397	2012	ALAMANCE HEALTH CARE	BILLED GRAHAM, S/B CITY OF BURLINGTON	32.80

- e. Approve request from Graham Recreation and Parks to close the 100 block of West Elm Street on Saturday, April 14, 2018 from 5:00pm-11:00pm for the rescheduled Grown Up Easter Egg Hunt Event*

- f. Recognize April 21, 2018 as Arbor Day in the City of Graham*
- g. Declare property adjacent to 516 West Elm Street as surplus and authorize disposal via the upset bid method as outlined in NCGS 160A-269 and subject to the conditions as set forth in Section 4 of the Offer to Purchase and Contract submitted by Walt C. Zamora*

Mayor Peterman asked if anyone would like to pull any of the items from the Consent Agenda.

Mayor Pro Tem Lee Kimrey asked to pull item “c”.

Council Member Chip Turner made a motion to approve items “a”, “b”, “d”, “e”, “f” and “g” on the Consent Agenda, seconded by Mayor Pro Tem Kimrey. All voted in favor of the motion.

Mayor Pro Tem Kimrey asked City Clerk to correct the list of Council Members attending the March 15, 2018 Special Session meeting. With no further comments, Mayor Pro Tem Kimrey made a motion to approve item “c” on the Consent Agenda, seconded by Council Member Wiggins. All voted in favor of the motion.

Old Business:

a. Temporary Outdoor Sales Ordinance Update

Assistant City Manager Aaron Holland updated Council on the progress of the Temporary Sales Ordinance staff has been working on. He advised that he had an opportunity to meet with those individuals who had previously expressed some concern with the proposed language. Mr. Holland stated that the primary changes made were the removal of exemption for schools, religious organizations and 501c3 organizations. In addition, a change was made to the number of times per year a vendor may be able to have sales on private property.

Council Members and staff discussed whether vendors would be monitored by the hour or by day and whether or not the reduction in the number of days from 60 to 12 was too extreme. Staff was also asked to speak to City Attorney Keith Whited to inquire as to whether or not the City can regulate food truck appearance.

Mr. Tom Boney of the Alamance News located at 114 West Elm Street Graham stepped forward to ask if farmers markets would be covered under this ordinance. Staff advised that farmers who grow their own fruit and/or vegetables would be allowed to sell on their own property and would be exempt from this ordinance.

Mr. Don Penny of Suttons at the Wrike encouraged Council Members to consider monitoring by days and not hours.

Council Members challenged staff to look at other municipalities to determine the appropriate number of days vendors can sell on private property.

b. Downtown Revolving Loan Fund Update

City Manager Frankie Maness reminded Council that last fall, Council decided to pursue a Revolving Loan Fund. Staff investigated options and made recommendations for administering this fund. At last month’s meeting, Council voted to take action using a hybrid model with the Alamance Community Foundation (ACF). Mr. Maness advised that staff met with those folks to try and kick off this program and were advised that ACF is not able to service this program at this time.

He stated that we can either proceed with the City administering the fund or choose the previous staff recommendation of the NC Rural Center. City Planner Alexa Powell added that the only remaining option that can meet the timeline laid out by the grant is partnering with the NC Rural Center.

Council Members and staff briefly discussed the challenges encountered with trying to get this loan program underway.

Mr. Chuck Talley of 808 Sideview Street Graham stepped forward and expressed his belief that the Rural Center's interest rate is too high.

Mayor Pro Tem Kimrey advised that he had made a call to Ms. Melody Adams, director of the Rural Grants/Programs of the North Carolina Department of Commerce. He explained that he informed Ms. Adams of the challenges this Council was having in getting this program started. Mayor Pro Tem Kimrey inquired as to what options may be available and that Ms. Adams advised that it is not too late to go in another direction with this grant. They spoke of a Downtown Small Area Plan and Wayfinding, both of which would be viable options. Council Members were in agreement with proceeding with wayfinding, as long as we receive a guarantee from Ms. Adams that we can proceed in this direction without penalty or fear of not meeting the already agreed upon timeline. Mr. Maness will reach out to Ms. Adams for confirmation that we can proceed with wayfinding.

Mayor Peterman made a motion to fund a wayfinding project downtown with \$50,000 from the state of North Carolina, seconded by Council Member McClure. All voted in favor of the motion. Mayor Peterman advised that if Ms. Adams informs Mr. Maness that we cannot do this, Mayor Peterman will call a special meeting to discuss other options.

c. Second Reading: Amendment to the Code of Ordinances – Temporary Parking Permit

Police Chief Jeff Prichard advised that at last month's Council meeting, concerns were voiced over the proposed fees contained in the Temporary Parking Permit Ordinance. Staff has taken into consideration those concerns and adjusted the proposed fees accordingly.

Council Members and staff discussed limits on multiple permits, time limits and the overall look of the permit.

Mr. Talley stepped forward and stated that he believes that if a contractor purchases a one year permit and their project is completed prior to that one year, the permit should expire when the project is complete and/or receives a certificate of occupancy.

With no further discussion forthcoming, Council Member Wiggins made a motion to approve the Ordinance amendment to CHAPTER 20- TRAFFIC AND VEHICLES, ARTICLE V- STANDING, STOPPING AND PARKING of the Code of Ordinances to allow for the issuance of a temporary parking permit and amend the Fee Schedule to establish a fee of \$5.00 dollars per day, \$25.00 dollars per month or \$150 dollars per year, seconded by Mayor Pro Tem Kimrey. All voted in favor of the motion.

Requests & Petitions from Citizens:

- a. Public Hearing: Petition for Voluntary Contiguous Annexation for property at Swepsonville Road and South Main Street (AN1801)***
 - i. Approve Annexation Ordinance***

Mr. Holland explained that the area being considered for annexation is two lots which will be recombined into one on Swepsonville Road. The Annexation petition was filed while there were two lots in this area, but the Corporate Limits Extension Plat recombines the two parcels into one parcel at 1619 Swepsonville Road.

Following a brief discussion between Council Members regarding sewer availability in this area, Mayor Peterman opened the Public Hearing. With no comments forthcoming, he closed the Public Hearing.

Mayor Pro Tem Kimrey made a motion to approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for a lot on Swepsonville Road and a lot on South Main Street, seconded by Council Member Turner. All voted in favor of the motion.

ANNEXATION ORDINANCE
TO EXTEND THE CORPORATE LIMITS
OF THE
CITY OF GRAHAM, NORTH CAROLINA
FOR A PARCEL ON SOUTH MAIN STREET AND A PARCEL ON SWEPSONVILLE ROAD (AN1801)

WHEREAS, the Graham City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Graham City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall, 201 South Main Street, Graham at 7:00 P.M. on April 3, 2018, after due notice by publication on March 22, 2018; and

WHEREAS, the Graham City Council finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Graham, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Graham as of April 3, 2018:

ALL of that certain piece, parcel or tract of land lying and being in the City of Graham, Graham Township, Alamance County, North Carolina, and being more particularly described as follows:

Beginning at a point in the eastern right of way of South Main St. (N.C.Hwy.87), the corner of the existing City of Graham Corporate Limits as referenced in the plat recorded as Final Plat Corporate Limits Extension, City of Graham, Plat Book 63 Page 37, and a corner with Frankie C. Thomas; Running thence with the City of Graham Corporate Limits and the southern line of Frankie C. Thomas and Onslow O. Thompson and Roy Michael Thompson, N 64°26'18"E, 373.95' to a point in the western right of way of Swepsonville Road (S.R.2116), a corner of the existing City of Graham Corporate Limits; Running thence in the western right of way of Swepsonville Road, S35°13'06"E, 53.99' to a point; continuing in the western right of way of Swepsonville Road in a curve to the right having a radius of 2848.93', a chord bearing and distance of S35°24'58"E, 46.44', a corner with Onslow O. Thompson III and Roy Michael Thompson; running thence with the northern line of Onslow O. Thompson and Roy Michael Thompson and the northern line of Kelly Baldwin, S64°31'54"W, 422.00' to a point in the eastern right of way of South Main St (N.C. Hwy. 87); thence with the eastern right of way of South Main St. (N.C. Hwy. 87) N08°01'58"W, 103.08' to the point and place of beginning containing 0.90 acres+- (0.0014 square miles) as shown on the survey, Final Plat, Recombination for Mary Eleanor Thompson and Corporate Limits Extension City of Graham dated 6/8/16.

Section 2. Upon and after April 3, 2018, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Graham and shall be entitled to the same privileges and benefits as other parts of the City of Graham. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Graham shall cause to be recorded in the office of the Register of Deeds of Alamance County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Alamance County Board of Elections, as required by G.S. 163-288.1.

Adopted this, the 3rd day of April, 2018.

b. Request from Audrey Garton for permission to hold a Community Art Weekend in Downtown Graham on May 19, 2018 and May 20, 2018

Ms. Audrey Garton of 1060 Watercourse Circle Graham stepped forward and introduced herself as the founder of Independent Artist Movement. She asked Council for permission to host a Community Art Weekend in Downtown Graham on May 19, 2018 and May 20, 2018.

Ms. Chelsea Dickey of 200 North Main Street Graham advised Council that the event is not requesting the closure of any streets, but did request they be able to set up at 8:00 a.m. on May 19, 2018 with the event running from 12:00 p.m.-6:00 p.m. on May 19, 2018 and 12:00 p.m.-3:00 p.m. on May 20, 2018. She added that there would be artists, buskers, moveable mural projects and food trucks situated around the downtown area. She provided Council with a map of the area which depicted vendors set up downtown and around Court Square.

Council Members asked Ms. Dickey and Ms. Garton about the number of parking spots being blocked off, activity on sidewalks, if County permission had been granted and liability insurance.

Lieutenant Duane Flood of the Graham Police Department stepped forward and expressed his department's concern with the May 20, 2018 date requested. He advised that in recent years, May 20th has been the date in which his department has received a demonstration permit request from a group who holds a "Confederate Memorial Day" around the Alamance County Court House located in Court Square. At last year's demonstration, counter protesters showed up and things escalated to the point in which there were arrests made. Lieutenant Flood stated he is concerned for safety should there be multiple groups located in the same area with no roads being closed. As to date, his department had not seen a request for any demonstration permits in the Court Square area.

Council Members and staff discussed the demands this event, if approved, and a demonstration permit, if requested, would put on the Police Department. Mayor Pro Tem Kimrey stated that he does not like when bad behavior changes the way that Council looks at good events, while Council Member Wiggins asked if the Police Department would plan on having additional staff that weekend with or without a demonstration permit being issued. Lieutenant Flood stated his department would monitor the events leading up to this weekend and plan accordingly.

Ms. Jennifer Talley of 808 Sideview Street Graham stepped forward and encouraged Council to not approve this request for May 20th. She stated that she has no problem with it being held on May 19th, but is concerned for public safety should the same group as last year be granted a permit to demonstrate around the Court House. She also encouraged Council to require Ms. Garton and Ms. Dickey to provide liability insurance.

Chief of Police Jeff Prichard repeated Lieutenant Flood's statement by saying his department has not received any type of request from any other group for this same weekend. He said he has some discretion to deny any permit request.

Mr. Talley asked Chief Prichard how many demonstration permits were issued for last year's demonstration. Chief Prichard stated one.

Council Members asked Ms. Garton and Ms. Dickey if they had considered having their event take place only on May 19th. Ms. Garton stated that this is something that could possibly happen, but not something they want to consider at this time.

With no further discussion forthcoming, Mayor Pro Tem Kimrey made a motion to allow the event as requested with the addition of liability insurance listing the City as a rider, seconded by Council Member McClure. All voted in favor of the motion.

c. Request from Chelsea Dickey for an Infrastructure Investment Matching Grant specific to Downtown Graham

Ms. Dickey presented Council with an overview of an Infrastructure Investment Matching Grant program she would like to see the City create. She stated that through her work at the Co/Operative, she is asked by business owners about incentive programs in the downtown area. The outline provided to Council is one that is modeled after a program in Fuquay-Varina, NC.

Council Members discussed the proposed minimum investment of \$250,000 by the City and wondered if restructuring the fee schedule or waiving some fees for downtown businesses might be a more viable option.

Mr. Boney expressed concern with this request. He stated he found it ethically questionable for an organization, the Co/Operative, to bring forth a request in which they can financially benefit.

Mr. Jason Cox of 200 North Main Street stepped forward and advised that the Co/Operative is a 501c3 organization and no one individual can own a 501c3.

With no further discussion, Mayor Peterman asked for consensus from Council to have staff look into this request to determine whether this would be a viable option for the City of Graham. Consensus was given.

Issues Not on Tonight's Agenda:

Mr. Holland advised that those signed up for a training class on April 10, 2018 in Kernersville that transportation will be leaving City Hall at 12:00 p.m.

Ms. Talley asked that downtown Wi-Fi be included in this year's budget.

Mayor Peterman announced that this Friday and Saturday, there will be free barbeque at Builders Discount in Graham.

Ms. Talley announced that April 13, 2018 is customer appreciation day at Colonial Hardware and everyone is invited to stop by and enjoy free barbeque.

At 9:32 p.m. Council Member McClure made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

Darcy Sperry, City Clerk

CITY OF GRAHAM
RELEASE ACCOUNTS

MAY COUNCIL MEETING

<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
146012	2008	EASTER, JAMES EARL	MOBILE HOME DOUBLE LISTED W/ #558799	16.89
146012	2009	EASTER, JAMES EARL	MOBILE HOME DOUBLE LISTED W/ #558799	16.20
146012	2010	EASTER, JAMES EARL	MOBILE HOME DOUBLE LISTED W/ #558799	13.80

TOTAL RELEASES ***46.89***

**CITY OF GRAHAM
REFUNDS**

MAY COUNCIL MEETING

<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR REFUND</u>	<u>REFUND AMOUNT</u>
639005	2017	LACY MICHAEL LITTLES	QUALIFIED DISABLED VETERANS EXEMPT	204.75
655393	2016	ELLA S SHOFFNER REVOC L/E	PREVIOUSLY QUALIFIED FOR SCE, BUT CODE HAD BEEN REMOVED IN ERROR	486.05
655393	2017	ELLA S SHOFFNER REVOC L/E	PREVIOUSLY QUALIFIED FOR SCE, BUT CODE HAD BEEN REMOVED IN ERROR	511.97

TOTAL REFUNDS 1202.77



STAFF REPORT

SUBJECT:	STREET CLOSURES OF 100 BLOCKS OF WEST ELM ST. AND EAST ELM ST. ON: 1) SATURDAY, JUNE 23, 2018 FROM 12:00PM-10:00PM FOR THE SLICE OF SUMMER FESTIVAL 2) FRIDAY, OCTOBER 26, 2018 (RAIN DATE: SATURDAY, OCTOBER 27, 2018) FROM 12:00AM-11:00PM (EAST ELM ST.) AND 5:00PM-11:00PM (WEST ELM ST.) FOR THE DOWNTOWN PUMPKIN BASH.
PREPARED BY:	BRIAN FAUCETTE, DIRECTOR OF RECREATION AND PARKS

REQUESTED ACTION:

Slice of Summer Festival:

The GRPD requests the closure of the 100 block of East Elm St. and the 100 block of West Elm St. in downtown Graham on June 23rd for the 2018 Slice of Summer Festival. The requested closure is 12pm-10pm.

Pumpkin Bash:

The GRPD requests the closure of the 100 block of East Elm St. and the 100 block of West Elm St. in downtown Graham on Friday, October 26th (Rain Date: Saturday, October 27th) for the 2018 Downtown Pumpkin Bash. The requested closure of West Elm St. is 5pm-11pm. The requested closure of East Elm St. is 12am-11pm. The extended closure will allow for setup and inspection of larger attractions.

Affected business have been contacted and support the closures.

BACKGROUND/SUMMARY:

The street closures for these events will be consistent with the 2016 & 2017 Downtown Pumpkin Bash.

The Graham Police Department will send a similar request to the NCDOT for the closure of the 100 blocks of North Main St. and South Main St. for both events.

FISCAL IMPACT:

There is no fiscal impact to the City of Graham.

STAFF RECOMMENDATION:

Staff recommends:

- 1) Approving the closure of the 100 blocks of West Elm St. and East Elm St. on June 23rd from 12pm-10pm for the Slice of Summer Festival
- 2) Approving the closure of the 100 block of the West Elm St. on October 26th (Rain Date: October 27th) from 5pm-11pm and the 100 block of East Elm St. from 12am-11pm for the Pumpkin Bash

SUGGESTED MOTION(S):

I MAKE A MOTION TO APPROVE THE CLOSURE OF THE 100 BLOCKS OF WEST ELM ST. AND EAST ELM ST. ON SATURDAY, JUNE 23, 2018 FROM 12PM-10PM FOR THE SLICE OF SUMMER FESTIVAL AND THE CLOSURE OF THE 100 BLOCK OF WEST ELM ST. ON FRIDAY, OCTOBER 26, 2018 (RAIN DATE: SATURDAY, OCTOBER 27th, 2018) FROM 5PM-11PM AND THE 100 BLOCK OF EAST ELM ST. FROM 12AM-11PM FOR THE DOWNTOWN PUMPKIN BASH.

RECEIVED

APR 11 2018

CITY OF GRAHAM



**Volunteer Application
City of Graham Boards and Commissions**

If you are a City of Graham resident or reside in the extra-territorial jurisdiction (ETJ), at least 18 years, and are willing to volunteer your time and expertise to your community, please complete and return to:

***Applications will be kept on file for 3 years**

By mail: City of Graham, Attn: City Clerk, PO Drawer 357, Graham, NC 27253

By email: dsperry@cityofgraham.com

By Fax: (336)570-6703

For questions, call: (336)570-6700

Please check all Boards and Commissions on which you would be willing to serve:

Extra-territorial residents can only serve on the Board of Adjustment or the Planning Board

- | | |
|--|--|
| <input type="checkbox"/> Alamance County Library Committee (2 years) | <input type="checkbox"/> Graham Housing Authority (5 years) |
| <input type="checkbox"/> Alcohol Beverage Control (3 years) | <input type="checkbox"/> Graham Sports Hall of Fame (6 years) |
| <input type="checkbox"/> Appearance Commission (3 years) | <input type="checkbox"/> Historic Resources Commission (4 years) |
| <input type="checkbox"/> Board of Adjustment (3 years) | <input type="checkbox"/> Planning Board (3 years) |
| <input type="checkbox"/> Canine Review Board (3 years) | <input type="checkbox"/> Recreation Commission (3 years) |
| <input checked="" type="checkbox"/> Graham Historical Museum (3 years) | <input type="checkbox"/> Tree Board (3 years) |

If you are currently serving on a Board in the City of Graham, please list:

Personal Information

Name: JERRY ALDEN CUMMINGS LtCol USMC(R)

Mailing Address: 225 FOREST DRIVE

Home Address (if different) —

Home Phone: 336 226-5015 Work Phone: —

Employer: RETIRED Position: —

Email Address jcummings1@triad.rr.com

Civic Involvement (please list the names of civic organizations in which you hold current membership):

Burlington-Alamance Sister Cities, Alamance Arts Decent

Please list any work, volunteer, and/or educational experience that you would like us to consider
Presently volunteer with BPD as Firearms Training Assistant/Safety Officer
200-300 hrs/yr. led group of senior Marine officers/SNCOs in advising
and writing info cards for Marine Corps Museum, Quantico VA
Why do you wish to serve the City in this capacity?

I think I can be of service to my town by helping to revitalize
the Historical Museum effort.

RECEIVED

APR 23 2018

CITY OF GRAHAM



Volunteer Application
City of Graham Boards and Commissions

If you are a City of Graham resident or reside in the extra-territorial jurisdiction (ETJ), at least 18 years, and are willing to volunteer your time and expertise to your community, please complete and return to:

*Applications will be kept on file for 3 years

By mail: City of Graham, Attn: City Clerk, PO Drawer 357, Graham, NC 27253

By email: dsperry@cityofgraham.com

By Fax: (336)570-6703

For questions, call: (336)570-6700

Please check all Boards and Commissions on which you would be willing to serve:

Extra-territorial residents can only serve on the Board of Adjustment or the Planning Board

- Alamance County Library Committee (2 years)
Alcohol Beverage Control (3 years)
Appearance Commission (3 years)
Board of Adjustment (3 years)
Canine Review Board (3 years)
Graham Historical Museum (3 years)
Graham Housing Authority (5 years)
Graham Sports Hall of Fame (6 years)
Historic Resources Commission (4 years)
Planning Board (3 years)
Recreation Commission (3 years)
Tree Board (3 years)

If you are currently serving on a Board in the City of Graham, please list:

Graham Appearance Commission

Personal Information

Name: Carla K. Smith

Mailing Address: 812 N. Main St., Graham

Home Address (if different)

Home Phone: 336-263-6681 Work Phone: Same

Employer: Hill Barbara Realty Position: Realtor, Broker-in-charge

Email Address: carlasellsnc@gmail.com

Civic Involvement (please list the names of civic organizations in which you hold current membership):

Graham Rotary, Appearance Commission

Please list any work, volunteer, and/or educational experience that you would like us to consider

18 yrs. as a Realtor, School & Church Volunteer for past 20 years

Why do you wish to serve the City in this capacity?

As a resident & local realtor I have a vested interest in the city's overall success

Alamance County

OFFICE OF THE COUNTY MANAGER
124 West Elm Street
Graham, North Carolina 27253-2865

BRYAN HAGOOD
County Manager

Telephone: (336) 570-4044
Facsimile: (336) 570-6360
bryan.hagood@alamance-nc.com

April 19, 2018

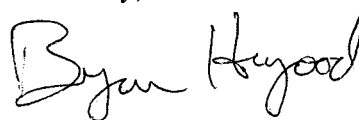
Mr. Frankie Maness, City Manager
City of Graham
Post Office Drawer 357
Graham, NC 27253

Dear Frankie:

The Alamance County War Memorial Committee has started the planning process for the annual Memorial Day Ceremony to be held in Graham on Monday, May 28, 2018. On behalf of the Committee, I would like to request that the City of Graham block off the street from 9:30 a.m. to 1:00 p.m. as they have in the past. The area to be blocked off is the north and south side of West Elm Street from Maple Street to the first turnaround in the island past the Criminal Courts Building.

Frankie, if the Council approves the request, and you can provide the barricades, the County will place them in position and remove them at the times listed above. Please call if you have any questions.

Sincerely,



Bryan Hagood
County Manager

BH: tf

CC: Darcy Sperry, City Clerk

STAFF REPORT

SUBJECT:	AUDIT CONTRACT
PREPARED BY:	FRANKIE MANESS, CITY MANAGER

REQUESTED ACTION:

Approve the Audit Contract with Stout, Stuart, McGowen & King, LLP

BACKGROUND/SUMMARY:

The *Local Government Budget and Fiscal Control Act* requires that all units of local government “have its accounts audited as soon as possible after the close of each fiscal year by a certified public accountant...” The City is approaching its fourth year of a new method of financial reporting and auditing due to growing concern in local government regarding auditor independence. Formerly our auditors prepared our financial statements as well as provided auditing services. Under this new arrangement, the City’s former auditors, Cobb, Ezekiel, Loy & Company, P.A, will assist Staff with audit preparation and financial reporting and Stout, Stuart, McGowen & King, LLP, will provide a “true audit” of the results.

FISCAL IMPACT:

The fee stipulated in the contract is \$19,750 which is \$250 greater than a year ago.

STAFF RECOMMENDATION:

Approval

SUGGESTED MOTION(S):

I move we approve the Audit contract with Stout, Stuart, McGowen & King, LLP.

STAFF REPORT

SUBJECT:	TEMPORARY OUTDOOR SALES ORDINANCE UPDATE
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Provide feedback and direction for proposed Temporary Outdoor Sales ordinance.

BACKGROUND/SUMMARY:

During the January 2, 2018 City Council meeting, Chelsea Dickey (The Cooperative) and staff presented language to Council for consideration and direction. Upon further discussion, Council directed staff to present proposed language at the February 6th Council meeting based on the input provided by Council members, business owners and citizens.

In an effort to resolve conflicting ordinances and provide clarity, staff proposed language at the February 6th Council meeting that provided an avenue for a vendor to operate on private property with permission from the property owner. Based on comments from the public and Council, staff was directed to meet with the concerned parties to further develop compromised language.



FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staffs recommends scheduling a first reading for the June 5th City Council meeting.

SUGGESTED MOTION(S):

I move to schedule a first reading of the Ordinance amendment to Chapter 8, Article VIII of the Code of Ordinances to add language for Temporary Outdoor Sales on June 5, 2018.

PROPOSED LANGUAGE:**Temporary Outdoor Sales:**

The following restrictions apply to all Temporary Outdoor Sales on private property. These restrictions shall not apply to Garage Sales, as that term is used and defined in Article 8-306 et seq., Code of Ordinances, City of Graham, which shall hereafter continue to regulate such sales and conduct.

The following restrictions shall not apply to farmers selling goods grown on their own property, nor to approved vendors in association with City approved and permitted events. All other organizations shall limit their outdoor sales as follows:

1. **Permit Required:** Any vendor seeking to make use of this ordinance must apply to the City's Planning Department for a permit and pay the fee for the permit. The issuance of the permit is contingent upon the continuous operation of the liability insurance and any other regulatory requirement, such as health department food service permit for mobile food service.
2. **Cleanliness and Sanitation:** Vendors must post in a conspicuous place, visible to the public from the service window, all licenses and permits required by any regulator, including but not limited to the Health Department and Department of Insurance. Vendors are required to keep a 15 foot buffer free of trash. Vendors may not increase the burden on City Sanitation by using the City trash receptacles. Vendors must provide a private means for trash disposal.
3. **Hours of Operation:** Vendors may not begin their operations before 7AM. Vendors must complete all operations before 11PM. Except as a part of a city sanctioned event, the truck/stand/appurtenances shall not occupy any single location for greater than three hours.
4. **Duration:** The property owner shall only allow the use of their property to any vendor a total of **twenty (20)** days within a calendar year. Permits shall be effective for not more than **three (3) consecutive days** from the starting date specified on the permit.
5. **Permitted zones:** The zoning of the property must allow for the intended use of the vendor in accordance with the City of Graham Development Ordinances. Vendors may conduct sales within the public right-of-way in locations directed by City Staff when the City Council has approved a temporary street closing for City- approved and permitted events such as a street festival/fair.
6. **Location:** Temporary sales shall not be located within 100 feet of similar-purpose institution without prior written permission. A new letter must be issued for each time the temporary sales are permitted to be located closer than 100 feet.
7. **Sound:** Generator(s) must not run within 200' of a dwelling unit after 9 PM, nor before 8AM, except as part of a City sanctioned event. No vendor supplied music or amplified advertising shall be permitted at any time.
8. **Unattended sales:** All vendors must have personnel at the site of temporary sale at all times. The vendor site shall not be left unattended for more than ten minutes.
9. **Signage:** Other than any signs painted on the mobile unit (for example on the side of a food truck), only one A-frame sign, not to exceed 3 square feet per side is permitted.

Violation: A violation of this ordinance shall be punishable as a Class 3 misdemeanor, subject to a fine not to exceed \$500.00 as provided in section 14-4 of the General Statutes of North Carolina (G.S. 14-4). Each day any violation of this Code or other ordinance shall continue shall constitute a separate offense. The imposition of a penalty under the provisions of this ordinance shall not prevent the revocation or suspension of any license, franchise or permit issued or granted hereunder. A violation of this ordinance is declared a nuisance to the public and may be summarily abated by the Chief of Police in addition to the imposition of a fine or imprisonment. Any violation of this Code by any officer, agent or other person acting for or employed by any corporation or unincorporated association or organization, while acting within the scope of his office or employment, shall in every case also be deemed to be a violation by such corporation, association or organization. Any officer, agent or other person acting for or employed by any corporation or unincorporated association or organization shall be subject and liable to punishment as well as such corporation or unincorporated association or organization for the violation by it of any provisions of this Code, where such violation was the act or omission, or the result of the act, omission or order, of any such person.

(Section added xx/xx/xx).



TEMPORARY OUTDOOR SALES PERMIT APPLICATION FORM

Please Type or Print:

APPLICANT INFORMATION	Sales Activity Address:		Parcel ID #:
	Sales Activity Dates (3 day max):		
	Sales Activity Description (attach plot plan if necessary to show activity location):		
	Applicant:		
	Company:		
	Mailing Address:		
	Phone:	Fax:	
	E-Mail:		
	Property Owner:		
	Company:		
Mailing Address:			
Phone:	Fax:		
E-Mail:			
CITY USE ONLY	TOS # _____	Certificate of Liability Insurance Required: Yes No	\$50.00 TOS Fee
	Received By: _____	Date Received: _____	Receipt #: _____
	Approved By: _____	Date Approved: _____	# per year: _____
	Special Conditions:		

AFFIDAVIT: We hereby certify that the information furnished in this application package is accurate, true, and correct to the best of our knowledge. By signing below, the property owner consents to the processing of the application by the applicant and authorizes the applicant to comply with the requirements placed on the application by the City. Applicant certifies that the provisions of **Section XXXXXX** have been read and agrees to observe the regulations and conditions for temporary outdoor sales or displays.

Applicant's Signature: _____ Date: _____

Property Owner's Signature: _____ Date: _____

STAFF REPORT

SUBJECT:	DOWNTOWN INFRASTRUCTURE GRANT
PREPARED BY:	FRANKIE MANESS, CITY MANAGER

REQUESTED ACTION:

Receive Information and Discuss an Infrastructure Investment Grant Program.

BACKGROUND/SUMMARY:

The City was approached by Co|Operative regarding the possibility of creating an Infrastructure Investment Grant Program for the Downtown in an effort to assist development/redevelopment. Most of the structures in the downtown area were constructed and utilized prior to today's building, fire and accessibility codes. This is problematic and often costly when there is an attempt to change the occupancy.

The City has long provided financial participation in various aspects of development, both direct and indirect. Below are some of the "direct" programs currently offered:

- Reimbursement to Developer for Assessments on Developer Extended Utilities: When a Developer is responsible for extending City water and/or sewer utilities to serve his property and pays all or a majority of the costs associated with the extension, the City will reimburse the Developer the collected assessments.
- Oversize Reimbursements: The City will reimburse a developer for the material cost difference between the required size of water and sewer lines and larger lines that will serve additional properties.
- Facade Grant: The City's annual program intended to encourage investment in Downtown Building Facades.
- Formal Incentives: Typically associated with industrial projects, the City considers requests for incentives as stipulated by the NC General Statutes.

FISCAL IMPACT:

The suggested initial funding is \$300,000. Based on current appropriations, this amount would be difficult to maintain on a recurring basis.

STAFF RECOMMENDATION:

The Downtown is certainly unique in its design and function; and the City could benefit from safer and more intense uses of existing structures. Taxable structures within the downtown provide the City with good tax yields and the highest value per acre among all land uses. While the City does currently have options to assist with water/sewer infrastructure, a gap has been identified for other improvements, especially related to accessibility. **Therefore, further analysis and investigation in the proposed program, or possible variations, is recommended.** In the meantime, the proposed System Development Fees (Connection Fees) would exempt fire lines. Based on a 6" line, the savings would be \$20,945.

SUGGESTED MOTION(S):

None.

PLANNING ZONING BOARD
Tuesday, April 17, 2018

The Planning & Zoning Board held their regular meeting on Tuesday, February 20, 2018 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Ricky Hall, Nate Perry, Justin Moody, Michael Benesch, Bonnie Blalock and Eric Crissman. Absent was Dean Hall. Staff members present were Nathan Page, Planning Director, Aaron Holland, Assistant City Manager and Alexa Powell, Planner. Chair Hall called the meeting to order, gave the Overview of the Board, general meeting rules and gave the invocation.

1. Approval of the February 20, 2018 meeting minutes. Bonnie Blalock made a motion for approval, second by Ricky Hall. All voted in favor.

2. New Business

- a. SUP1801- New St Duplex. Application for a new duplex at 708 ½ New Street, GPIN 8884076833. Application by Mr. Bhatti.

Nathan Page was sworn in. The staff report was read aloud. The Ricky Hall asked for anyone in the audience to provide evidence and hearing none moved to postpone until such time that someone could speak on behalf of the applicant. Eric Crissman asked if efforts had been made to notify the applicant of the Planning Board meeting. Nathan Page responded that he had followed the procedure for notification. In addition, he called the applicant on 4/10/18 but was unable to reach him and so sent a follow up email. Eric Crissman seconded the motion to table the application. All voted in favor.

- b. SUP1802- Melville St Duplex. Application for construction of a new duplex at 306 and 308 S Melville Street, GPIN 8884227612. Application by Tanya Dunbar-Stone. Withdrawn 4/11/18

The applicant sent an email to withdrawal the application for a Duplex. The email was read aloud. Tanya Stone indicated in the communication she would pursue the development of a single family home on the lot instead. As a procedural matter, Ricky Hall motioned to accept the withdrawal of SUP1802. Seconded by Nate Perry. All voted in favor.

Nathan Page provided a brief overview of the development projects in front of the City including those seeking Technical Review Committee (TRC) approval. In the course of the discussion, Eric Crissman requested for Staff to put together some recommendations with regard to creating a standard for fencing in Graham's overlay districts. More specifically, he wanted this proposal to address optional fences put up by property owners which were not required by the Development Ordinance in order to protect the aesthetics of these important corridors. Eric Crissman made a motion to this effect. Michael Benesch asked for clarification as to whether potentially disallowing chain link might impact developments required to have such security fencing during demolition and construction. Nathan Page confirmed that those requirements were addressed separately in the Development Ordinance and would not be affected by any potential changes made by amending this section. The motion was seconded by Ricky Hall. All voted in favor.

Eric Crissman brought another request to Staff to add an overlay district to all major entrances into Graham. Eric Crissman made a motion for Staff to look at creating overlay districts on all main corridors. Nate Perry seconded the motion. All voted in favor. Staff was requested to look at W. Harden Street, W. Elm Street, N. Main Street, and E. Elm Street as potential locations to expand overlay districts

and provide recommendations for the Planning Board's consideration at the next meeting.

No further business the meeting was adjourned.

Respectfully Submitted,
Alexa Powell



RECEIVED

MAR 09 2018

CITY OF GRAHAM
INSP. / P.Z.

Application for SPECIAL USE PERMIT

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

Uses shown as "S" in the City of Graham Development Ordinance, Section 10.135 Table of Permitted Uses, require a Special Use Permit before the use will be permitted in the zoning district. Applicants are strongly encouraged to consult with the City Planner to understand the requirements for the proposed special use and the information that will be needed as part of this application.

Site

Street Address: 708 1/2 New St Graham NC

Tax Map#: 145647 GPIN: 80984076933

Current Zoning District(s): R-7

Overlay District, if applicable:

Historic S Main St/Hwy 87 E Harden St/Hwy 54

Current Use: Stirrup factory, Had water

Property Owner: K. Makapuu & M.A. BHATTI Sewage & Electrical system

Mailing Address: 3210 Elk Dr

City, State, Zip: Burlington NC 27215

Phone #: 336-512-0839

Email: M.A.BHATTI.MD@gmail.com

Applicant and Project Contact

Name: M. Abene

Property Owner Other "

Mailing Address: "

Phone #: "

Email: "

I certify that all information furnished is true to the best of my knowledge. I have provided all information needed to demonstrate that all requirements of the proposed special use will be met.

Signature of Applicant: mabhatti Date: 2/28/18

Signature of Property Owner: mabhatti Date: _____
(if other than applicant)

Office Use Only, DEVID# SUP1801

Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):

Duplex Dwelling

Check if this use is also listed in Section 10.149 Special uses listed

This application must include sufficient information to demonstrate that all requirements of the proposed special use will be met. Check which of the following are submitted with this application:

- Preliminary Site Plan
- Descriptive Information

Approx. 25,000 sq. ft.
was a 2 bed room apt. when roof fell in. It was replaced, contents emptied. Bath room, electrical & some inside wall work was done. Building secured. need to rehab it. now need a 2 bed room apt. Existing Driveway will be used

Additional sheets of Descriptive Information

Because applications for a Special Use Permit go through the public hearing process, applicants are encouraged to contact neighboring property owners prior to the public hearing.

Other Requirements

NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing



STAFF REPORT

Prepared by Alexa Powell, Planner

New St. Duplex (SUP1801)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on April 17, 2018

City Council on May 1, 2018

Contact Information

Mohammad Bhatti

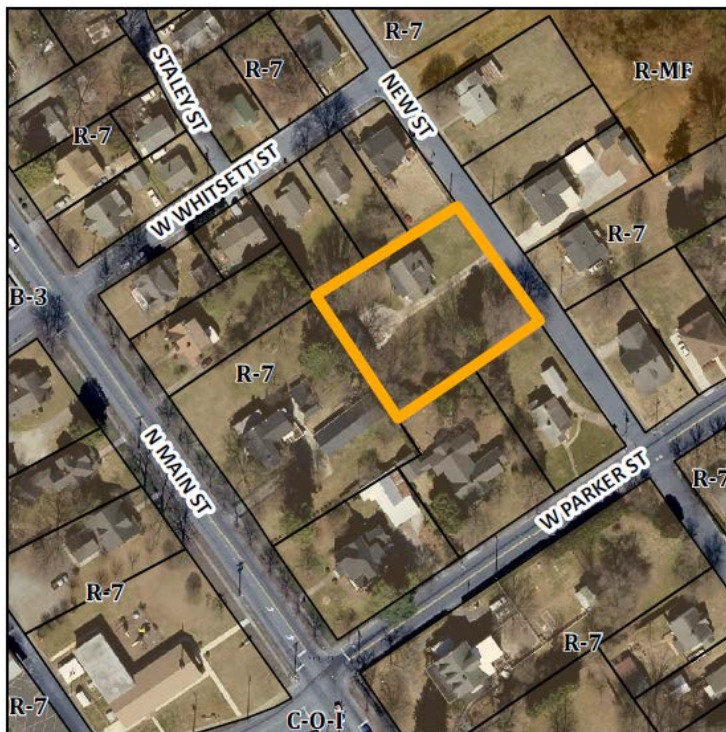
708 New St, Graham NC

336-512-6839

mabhattimd@gmail.com

Summary

This is a request for a Special Use Permit for a Dwelling, Duplex for property located at 708 New St. There is an existing building on the site, currently in use as a Single Family residence. The total lot square footage is about 25,000sqft.



Location

708 New St.

GPIN: 8884076833

Current Zoning

Residential (high density)
(R-7)

Proposed Zoning

Residential (high density) (R-7)

Overlay District

none

Surrounding Zoning

R7

Surrounding Land Uses

Single Family

Size

0.575 acres

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

This site was originally developed in 1951, as a single family dwelling. The applicant reports that the rear unit was used as a dwelling in the past. However, it has been vacant for more than 180 days and therefore requires re-approval. The duplex is intended to take place in the detached structure to the rear of the lot. Properties zoned Residential (high-density) (R7) are required by the Development

Ordinance to apply for a Special Use permit to allow this change from a Dwelling, Single Family Detached to a Dwelling, Duplex.

A Dwelling, Duplex is described by the Development Ordinance as Dwelling, two-family which is defined as a detached building designed for occupancy exclusively by two (2) families living independently of each other.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required.
- Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width.

Conformity to *The Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Planning Type: Neighborhood

Development Type: Downtown Residential

Applicable Policies;

- **2.2.1: Focused Development** In order to maintain Graham's affordability and promote infill development and focused, walkable, and mixed use built environments. *Permitting duplex structures in Graham creates more density. This infill development promotes walkable neighborhoods and uses existing municipal infrastructure.*
- **4.3.1 Land Use Patterns.** Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The duplex would use existing city infrastructure.*
- **5.2.2 Multigenerational Housing** Promote buildings and neighborhood designs that serve multiple age groups simultaneously and meet the needs of young people, families, older adults, and people with disabilities, especially in focus areas and in close proximity to services. *Permitting the duplex could allow for multi-generational housing, as well as smaller units for families without children living at home.*

Planning Type

Neighborhood

Development Type

Downtown Residential

For single family residential, new neighborhoods may include duplexes

Include sidewalks, tree coverage, small and medium-sized lots, a variety of housing choices, and porches and stoops that facilitate social interaction.

In street parking, sidewalks on both sides of the street and street trees.

Density of 3 to 6 DU/acre

DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
 - *The property is zoned R-7, a duplex is permitted only with a special use permit, or a rezoning to R-MF or R-G.*

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required. *The property appears to be in excess of 11,000 square feet.*
 - Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width. *The property appears to have street frontage in excess of 80 feet.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
 - *The use of the location as a duplex will not materially endanger the public health or safety.*

4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
 - *The use of the location as a duplex will not substantially injure the value of adjoining property.*
5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.
 - *The duplex is located in a neighborhood residential section of Graham and the future land use is Downtown Residential. Therefore, a duplex is in general conformity with The Graham 2035 Comprehensive Plan.*
6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
 - *All said items have been satisfactorily addressed in the application including the use of the existing driveway for access and vehicle parking.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit. This action is reasonable and in the public interest for the following reasons:

- The development furthers goals of *The Graham 2035 Comprehensive Plan* and is in conformance with the Downtown Residential development type.
- The development meets all six conditions required by Section 10.144 of the *Development Ordinance*.



City Council Decision & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the comprehensive plan and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

New St Duplex (SUP1801)

Type of Request
Special Use Permit

Meeting Dates
Planning Board on April 17, 2018
City Council on May 1, 2018

1. Choose one...

- I move that the application be **APPROVED as presented.**
- I move that the application be **APPROVED with the following conditions:**
- o [Insert additional conditions]
- I move that the application be **DENIED.**

2. Choose one...

- I move to adopt the Findings of Fact and Conclusions of Law **as presented in the staff report.**
- I move to adopt the Findings of Fact and Conclusions of Law presented in the staff report **with the following revisions:**

3. Choose one...

- The application is **consistent** with *The Graham 2035 Comprehensive Plan.*
- The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan.*

4. State reasons...

This action is reasonable and in the public interest for the following reasons:

- o The proposed special use permit is compatible with the area and meets all six conditions required by Section 10.144 of the *Development Ordinance.*

This report reflects the decision of the City Council, this the 1st day of May, 2018.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk

Nathan Page

From: Heaven-Lee Home Rentals <heavenleehomerentals@gmail.com>
Sent: Wednesday, April 11, 2018 10:46 AM
To: Nathan Page
Subject: Re: SUP1802 S Melville Duplex

Great!
Thank you very much, Nathan.

Tanya

Heaven-Lee Home Rentals, LLC

On Apr 11, 2018, at 10:20 AM, Nathan Page <npage@cityofgraham.com> wrote:

Tanya,
This is sufficient. I will put your email in the file and notify the Planning Board the SUP application has been withdrawn.

We look forward to seeing a new resident on Melville St!
Nathan

From: Heaven-Lee Home Rentals [<mailto:heavenleehomerentals@gmail.com>]
Sent: Tuesday, April 10, 2018 12:42 PM
To: Nathan Page <npage@cityofgraham.com>
Subject: Re: SUP1802 S Melville Duplex

Thank you for this valuable information, Nathan. After careful consideration (and more detailed information on the matter from several sources), we have decided to withdraw our Special Use Permit application at this time. Our plans have returned to building a beautiful single family home on the S. Melville lot.

Is there anything in particular that we need to do to withdraw? Any paperwork to sign, etc? Will this email suffice?

Please advise.

Tanya Dunbar-Stone, MSED, LMSW
Heaven-Lee Home Rentals, LLC

On Apr 10, 2018, at 8:45 AM, Nathan Page <npage@cityofgraham.com> wrote:

Tanya,
I wanted to reach out and make sure you were aware that the Special Use Permit will go before Graham's Planning Board on 4/17/18 at 7 PM, and then before the City Council on 5/1/18 also at 7 PM. I recommend that you, or someone who can speak on your behalf, attend both meetings.

Please let me know if you have any questions,

Nathan Page, CZO

Planning Director for Graham, North Carolina

(336) 570-6705x135 npage@cityofgraham.com

www.cityofgraham.com/departments/planning



Application for SPECIAL USE PERMIT

RECEIVED

MAR 30 2018

CITY OF GRAHAM
INSP. / P.Z.

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

Uses shown as "S" in the *City of Graham Development Ordinance*, Section 10.135 Table of Permitted Uses, require a Special Use Permit before the use will be permitted in the zoning district. Applicants are strongly encouraged to consult with the City Planner to understand the requirements for the proposed special use and the information that will be needed as part of this application.

Site

Street Address: S. Melville Street 306 & 309
 Tax Map#: 14615-8 GPIN: 8884227612
 Current Zoning District(s): R-7
 Overlay District, if applicable:
 Historic S Main St/Hwy 87 E Harden St/Hwy 54
 Unused Lot
 Current Use: _____
 Property Owner: Heaven-Lee Home Rentals, LLC
 Mailing Address: 2600 Sourwood Street
Raleigh, NC 27610
 City, State, Zip: _____
 Phone # 919-375-8103
 Email: heavenleehomerentals@gmail.com

Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):
Duplex

Check if this use is also listed in
 Section 10.149 Special uses listed

This application **must include sufficient information** to demonstrate that all requirements of the proposed special use will be met. Check which of the following are submitted with this application:

- Preliminary Site Plan
- Descriptive Information

A duplex home built with 80 feet road frontage, off street parking slabs, and driveway(s).

Additional sheets of Descriptive Information

Because applications for a Special Use Permit go through the public hearing process, applicants are encouraged to contact neighboring property owners prior to the public hearing.

Other Requirements

NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing

Applicant and Project Contact

Name: Tanya Dunbar-Stone
 Property Owner Other CEO of LLC
 Mailing Address: 260 Stewart Avenue
Hempstead, NY, 11550
 City, State, Zip: _____
 Phone # 919-375-8103
 Email: heavenleehomerentals@gmail.com Dwelli

I certify that all information furnished is true to the best of my knowledge. I have provided all information needed to demonstrate that all requirements of the proposed special use will be met.

[Signature] 3/29/2018
 Signature of Applicant Date

[Signature] 3/29/2018
 Signature of Property Owner Date
 (if other than applicant)

Office Use Only. DEVID# SUP 1802



STAFF REPORT

Prepared by Alexa Powell, Planner

New St. Duplex (SUP1802)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on April 17, 2018

City Council on May 1, 2018

Contact Information

Tanya Dunbar- Stone

260 Stewart Avenue

Hempstead, NY 11550

919-375-8103,

heavenleehomerentals@gmail.com

Summary

This is a request for a Special Use Permit for a Dwelling, Duplex for property located at 306 S Melville St. The property is currently vacant.



Location

306 S Melville St.

GPIN: 8884227612

Current Zoning

Residential (high density)
(R-7)

Proposed Zoning

Residential (high density) (R-7)

Overlay District

none

Surrounding Zoning

R7

Surrounding Land Uses

Single Family

Size

0.25 acres

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

Properties zoned Residential (high-density) (R7) are required by the Development Ordinance to apply for a Special Use permit to allow this change from a Dwelling, Single Family Detached to a Dwelling, Duplex.

A Dwelling, Duplex is described by the Development Ordinance as Dwelling, two-family which is defined as a detached building designed for occupancy exclusively by two (2) families living independently of each other.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required.
- Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width.

Conformity to *The Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Planning Type: Neighborhood

Development Type: Downtown Residential

Applicable Policies;

- **2.2.1: Focused Development** In order to maintain Graham’s affordability and promote infill development and focused, walkable, and mixed use built environments. *Permitting duplex structures in Graham creates more density. This infill development promotes walkable neighborhoods and uses existing municipal infrastructure.*
- **4.3.1 Land Use Patterns.** Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The duplex would use existing city infrastructure.*
- **5.2.2 Multigenerational Housing** Promote buildings and neighborhood designs that serve multiple age groups simultaneously and meet the needs of young people, families, older adults, and people with disabilities, especially in focus areas and in close proximity to services. *Permitting the duplex could allow for multi-generational housing, as well as smaller units for families without children living at home.*

<p><u>Planning Type</u> Neighborhood</p> <p><u>Development Type</u> Downtown Residential</p> <p>For single family residential, new neighborhoods may include duplexes</p> <p>Include sidewalks, tree coverage, small and medium-sized lots, a variety of housing choices, and porches and stoops that facilitate social interaction.</p> <p>In street parking, sidewalks on both sides of the street and street trees.</p> <p>Density of 3 to 6 DU/acre</p>

DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.

- *The property is zoned R-7, a duplex is permitted only with a special use permit, or a rezoning to R-MF or R-G.*

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required. *The property appears to be in excess of 11,000 square feet.*
 - Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width. *The property appears to have about 80 feet of street frontage.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
- *The use of the location as a duplex will not materially endanger the public health or safety.*
4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
- *The use of the location as a duplex will not substantially injure the value of adjoining property.*
5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.
- *The duplex is located in a neighborhood residential section of Graham and the future land use is Downtown Residential. Therefore, a duplex is in general conformity with The Graham 2035 Comprehensive Plan.*
6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
- *All said items have been satisfactorily addressed in the application including the use of the existing driveway for access and vehicle parking.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit. This action is reasonable and in the public interest for the following reasons:

- The development furthers goals of *The Graham 2035 Comprehensive Plan* and is in conformance with the Downtown Residential development type.
- The development meets all six conditions required by Section 10.144 of the *Development Ordinance*.

25 April 2018

The Honorable Mayor and City Council
City of Graham
201 South Main Street
Graham, North Carolina 27253

Re: Written System Development Fee Analysis

Mayor and Council:

Enclosed for your review is a preliminary draft of the City's written System Development Fee Analysis which is prepared in accordance with, and to satisfy the requirements of, North Carolina House Bill 436 ("HB-436").

The General Assembly ratified HB-436 last year in order to standardize the way in which municipalities in North Carolina levy upfront charges for water and wastewater service to new development. Historically there has been a high degree of variability in how these fees, which are often labeled as Access Fees, Capacity Fees, Capital Recovery Fees, Connection Fees, System Buy-in Fees, etc., are calculated and how resulting revenues are appropriated. HB-436 invalidates any such existing fees for water and wastewater service, save for standard Tap Fees, effective 1 July 2018. Additionally, it standardizes the term System Development Fee and defines it, in part, as follows. "A charge or assessment for service imposed with respect to new development to fund the cost of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs..."

Currently the City levies a Connection Fee of \$775 for each new ¾" connection to the water system and \$775 for each new ¾" connection to the wastewater system. Per HB-436, the City must rescind this fee no later than 1 July 2018. The City Council may opt to replace the current Connection Fee with a System Development Fee as calculated in the enclosed analysis.

We will be prepared to offer further discussion on the enclosed analysis and the procedural requirements necessary for adoption of a revised fee structure during your regularly scheduled meeting on the 1st of May. Until then, thank you for the opportunity to serve the City of Graham and should you have any questions or require additional information please do not hesitate to contact Josh Johnson or myself.

Sincerely,



Glynn E. Fleming, PE
Alley, Williams, Carmen & King, Inc.

T:\2017\17111 City of Graham - System Development Fee\Meetings\5.1.2018 Council\MEMO to Graham Council RE System Development Fee Report.docx

Enc: DRAFT System Development Fee Analysis
cc: Mr. Frankie Maness – City of Graham, City Manager
Mr. Aaron Holland – City of Graham, Assistant City Manager
Mr. Josh Johnson, PE – Alley, Williams, Carmen & King, Inc., City Engineer

CITY OF GRAHAM, NORTH CAROLINA

PRELIMINARY WATER AND WASTEWATER SYSTEM DEVELOPMENT FEE ANALYSIS



April 2018

Prepared by:

Alley, Williams, Carmen, and King, Inc.

740 Chapel Hill Road, P.O. Box 1179

Burlington, NC, 27216

Tel: (336) 226-5534 Fax: (336) 226-3034

Mr. Glynn E. Fleming, P.E.

gfleming@awck.com



EXECUTIVE SUMMARY

The enclosed analysis was performed in accordance with North Carolina House Bill 436 (“HB-436”) and serves to establish a System Development Fee structure for the City of Graham (the “City”). Water and wastewater system analyses and comprehensive master planning are imperative for facilitating orderly growth of water and wastewater systems, and for providing utility infrastructure which will promote economic development within the City and its Extra-Territorial Jurisdiction. As an accompaniment to this level of planning, implementation of a System Development Fee assists in equitably proportioning the financial burden of both existing infrastructure and new infrastructure which is needed to serve new development to the new users and away from existing customers.

Elements of the water and wastewater systems, including storage facilities, pumping facilities, treatment facilities, and the distribution, collection, and conveyance network, were inventoried and evaluated against industry standards as outlined in the Current Utility Infrastructure section of this report.

Currently the City’s water and wastewater systems have limited capacity to serve new customers, and significant system-wide improvements may be necessary to facilitate future growth and to meet projected capacity needs. For the purposes of this analysis, a system buy-in approach which seeks to establish the monetary cost for new development to “buy” a proportionate share of existing system capacity is utilized.

Pursuant to HB-436 and methodology prescribed by the American Water Works Association, the following analysis identifies Net Asset Valuations of \$11,120,732 and \$16,662,214 for the water and wastewater systems respectively.

HB-436 defines a service unit as “a unit of measure, typically an equivalent residential unit, calculated in accordance with generally accepted engineering or planning standards.” For the purposes of this analysis, the City establishes a service unit as an Equivalent Residential Unit (“ERU”) which consumes an average of 240 gallons per day through a standard $\frac{3}{4}$ ” water meter. For any development which requires a different size water meter, a service unit equivalent is established at a multiplier based on its operating capacity with respect to the $\frac{3}{4}$ ” water meter. The equivalency factors and associated System Development Fee by water meter size are shown in [Table 1](#).

Based on current system valuations, the City may assess a maximum System Development Fee of **\$1,668** per ERU.

Table 1: Maximum Assessable System Development Fee for Commonly Used Water Meters[†]

Water Meter Size	Max Flow (GPM)	Equivalent Residential Unit[‡] (ERU)	Maximum Assessable Water Fee Per ERU	Maximum Assessable Wastewater Fee Per ERU	Total Maximum Assessable Fee Per ERU
3/4"	30	1.00	\$483	\$1,185	\$1,668
1"	50	1.67	\$806	\$1,975	\$2,780
1 1/2"	100	3.33	\$1,611	\$3,950	\$5,561
2"	160	5.33	\$2,578	\$6,319	\$8,897
3"	350	11.67	\$5,639	\$13,823	\$19,462
4"	630	21.00	\$10,150	\$24,882	\$35,032
6"	1,300	43.33	\$20,945	\$51,344	\$72,289

[†]Applicable System Development Fee(s) for development requiring smaller or larger water meters will be calculated on a project specific basis using the above rates and methodology.

[‡]ERU multiplier adapted from AWWA Manual of Water Supply Practices-M1, *Principles of Water Rates, Fees, and Charges*.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
INTRODUCTION	4
CURRENT UTILITY INFRASTRUCTURE.....	4
GROWTH AND POPULATION TRENDS	5
ESTABLISHED LEVEL OF SERVICE	5
SYSTEM BUY-IN ASSESSMENT.....	6
FEE ADOPTION, ADMINISTRATION, AND MAINTENANCE	6
CONCLUSIONS	7
REFERENCES.....	8

INTRODUCTION

The City of Graham (the “City”) retained the services of Alley, Williams, Carmen & King, Inc. (“AWCK”) for the purpose of preparing a written analysis and establishing a System Development Fee in accordance with House Bill 436⁽¹⁾ (“HB-436”) as enacted by the North Carolina General Assembly and ratified on 29 June 2017. HB-436 is entitled “An Act to Provide for Uniform Authority to Implement System Development Fees for Public Water and Sewer Systems in North Carolina and to Clarify the Applicable Statute of Limitations”. It amends Chapter 162A of the North Carolina General Statutes and enables local government units (“LGU”) to assess a System Development Fee on new development within their territorial limits.

A System Development Fee is a one-time levy assessed against new water and wastewater consumers for system capacity. Proceeds from this fee are then used to fund the design and construction of growth related water and wastewater system capital projects, and/or to reimburse the LGU for previous water and wastewater capacity related capital expenditures.

Currently portions of the City’s water and wastewater systems have limited capacity to serve new customers. However, existing system demands and projected growth rates highlight the need for system-wide improvements to facilitate future growth and meet projected capacity needs. The City is currently underway with several system assessments aimed at identifying long-term capacity constraints. When completed, these assessments will aid in forming a cohesive long-range utility plan to assist in capital planning and System Development Fee revisions. For the purposes of this analysis, a system buy-in approach which seeks to establish the monetary cost for new development to “buy” a proportionate share of existing system capacity is utilized.

This report relies on City planning and financial documents, the American Water Works Association Manual M1, *Principles of Water Rates, Fees, and Charges*⁽²⁾ (“AWWA Manual”), HB-436, and where necessary sound engineering judgement to satisfy the requirements of HB-436 and provide the City with a schedule of maximum allowable System Development Fee assessments.

CURRENT UTILITY INFRASTRUCTURE

Components of the City’s current water and wastewater systems include the following:

- The City retains 50% ownership and capacity allocation in the 12.00 million gallon per day (“MGD”) Graham-Mebane Lake Drinking Water Treatment Facility, and allocates 0.181 MGD and 0.300 MGD of this capacity to the Towns of Green Level and Swepsonville respectively. Current average day use by the City is approximately 1.60 MGD (29.0% of remaining 5.52 MGD allocation). Projected water demand for the year 2027 is approximately 2.65 MGD (48.0% of remaining 5.52 MGD allocation). The City has adequate water production capacity to meet forecasted demand.
- The City owns and operates one (1) elevated water storage tank with a capacity of 500,000 gallons. Existing storage capacity (ground storage and elevated storage) meets minimum design criteria. However, the City is currently completing hydraulic modeling which will determine if/when additional elevated storage is warranted in order to ensure system-wide pressure stabilization, particularly during periods of high demand.

- The City owns and maintains approximately 106 miles of water distribution lines. Existing distribution lines generally meet minimum design criteria for demand and pressure. However, improvements are needed in order to improve overall levels of service, increase system redundancy, and extend service to unserved areas.
- The City owns and operates the 3.50 MGD City of Graham Wastewater Treatment Plant and allocates 0.750 MGD of this capacity to the City of Mebane. Current average daily return flow is approximately 1.380 MGD (50.2% of remaining 2.75 MGD capacity). The City retains additional capacity allocations with the City of Burlington and The Town of Haw River totaling 0.500 MGD and 0.125 MGD respectively. Current average daily return flows are 0.186 MGD and 0.006 MGD respectively. Cumulative projected wastewater demand for the year 2027 is approximately 2.04 MGD (60.4% of total 3.375 MGD capacity/allocation). The City has limited capacity to meet future projected demand at the Graham Wastewater Treatment Plant and a complete facility assessment is currently underway. The results of this study will be used to identify and prioritize capital improvements and capacity expansions needed in order to meet projected demand.
- The City owns and maintains a wastewater collection and conveyance system comprised of seven (7) pump stations, approximately four (4) miles of force main, and approximately 93 miles of gravity sewer. Existing pump stations and conveyance lines are generally able to meet minimum design parameters. However, improvements are needed in order to prevent sanitary sewer overflows, improve overall system efficiency, and extend service to unserved areas.

GROWTH AND POPULATION TRENDS

Since 2010 the City's annual growth rate has averaged approximately 1.00% as reported by the North Carolina Office of State Budget and Management. The City uses this data to aid in long-term capital planning, and corresponding growth projections were utilized for the purposes of this analysis. **Table 2** shows future population projections and resulting increases in demand.

Table 2: 10-Year Planning Window Additional ERU's

Use	2016		2022		2027		Increase	
	ADF (gal)	ERU	ADF (gal)	ERU	ADF (gal)	ERU	ADF (gal)	ERU
Residential	654,000	5,189	1,321,975	5,508	1,389,409	5,789	735,409	600
Commercial	355,000	1,479	376,840	1,570	396,062	1,650	41,062	171
Industrial	215,000	896	228,227	951	239,869	999	24,869	103
Institutional	91,000	379	96,598	402	101,526	423	10,526	44
Total	1,315,000	7,943	2,023,640	8,431	2,126,866	8,861	811,866	918

ESTABLISHED LEVEL OF SERVICE

HB-436 defines a service unit as "a unit of measure, typically an equivalent residential unit, calculated in accordance with generally accepted engineering or planning standards." For the purposes of this analysis, projected demand is established using design flowrates per Section 15A NCAC 02T .0114(b) of the North Carolina Administrative Code⁽³⁾ which states, in part, the minimum volume of wastewater flow from a

residential dwelling shall be considered to be 240 gallons per day (“gpd”). Therefore, the City establishes a service unit as an Equivalent Residential Unit (“ERU”) which consumes an average of 240 gpd through a standard ¾” water meter. Existing system demands are based upon the City’s 2016 Local Water Supply Plan Reporting and the number of future ERU’s the City may serve is based upon an assumed demand of 240 gpd/ERU.

SYSTEM BUY-IN ASSESSMENT

The system buy-in method values capacity in existing system components, with the resulting fee intended to achieve capital equity between existing and future customers. For the purposes of this analysis, portions of the City’s Comprehensive Annual Financial Report⁽⁴⁾ and Book Asset Details for the Water and Sewer Funds, both for the year ended 30 June 2017, were utilized to establish values of existing system capacity as shown below.

Water System		Wastewater System	
Non-depreciable Capital Assets	\$1,281,547	Non-depreciable Capital Assets	\$0
Depreciable Capital Assets	\$22,960,399	Depreciable Capital Assets	\$27,472,029
Accumulated Depreciation	(\$8,366,585)	Accumulated Depreciation	(\$9,012,536)
Debt Credits, Grants, Etc.	(\$4,754,629)	Debt Credits, Grants, Etc.	(\$1,797,279)
Grant Depreciation	\$0	Grant Depreciation	\$0
Net Asset Value	<u>\$11,120,732</u>	Net Asset Value	<u>\$16,662,214</u>

Existing Capacity (GPD) [†]	5,522,000	Existing Capacity (GPD) [†]	3,375,000
--------------------------------------	-----------	--------------------------------------	-----------

[†]Refer to Current Utility Infrastructure section of this report.

In keeping with methodology prescribed in the AWWA Manual, a system buy-in fee is calculated as shown below. **Table 3** shows the City may assess a maximum buy-in System Development Fee of \$6.95 per gallon of average daily demand. Assuming average daily demand of 240 gpd, this equates to \$483.33 for water service and \$1,184.87 for wastewater service, totaling \$1,668.20 per ERU.

$$\frac{\text{Buy In Fee}}{\text{Gallon}} = \frac{\text{Original Cost} - \text{Accumulated Depreciation} - \text{Debt Principal Outstanding} - \text{Grants, etc.}}{\text{Total System Capacity (gal.)}}$$

Table 3: Maximum Permissible Buy-In System Development Fee

	\$/Gal ADF	\$/ERU
Water (1 ERU = 240 gpd)	\$2.01	\$483.33
Wastewater (1 ERU = 240 gpd)	\$4.94	\$1,184.87
Total	\$6.95	\$1,668.20

FEE ADOPTION, ADMINISTRATION, AND MAINTENANCE

HB-436 provides a prescriptive guide for the adoption, administration, and on-going maintenance of a System Development Fee analysis and the revenue it generates. As such, any LGU considering adoption of a System Development Fee should consult legal counsel regarding HB-436, the authorization of a System Development Fee, and subsequent use of revenue.

In order to establish a System Development Fee per service unit of new development an LGU must adopt this written analysis via resolution or ordinance. Prior to an LGU's governing body considering adoption of this and any future System Development Fee analyses, the written analysis shall be posted publicly for a minimum of 45 days in order to solicit public comment regarding its contents. Once the public comment period has expired, the analysis preparer shall consider all received comments and revise or modify the analysis as necessary. The LGU's governing body must subsequently convene one (1) public hearing prior to considering adoption of the analysis and incorporating the resulting System Development Fee into its adopted budget and/or larger fee schedule. An adopted System Development Fee analysis must be reviewed and updated a minimum of every five (5) years.

HB-436 mandates System Development Fee revenue be accounted for by means of a dedicated Capital Reserve Fund and places certain restrictions on how an LGU may appropriate that revenue. As such, any LGU considering adoption of a System Development Fee should consult with legal counsel and a qualified financial professional regarding HB-436, the authorization of a System Development Fee, and subsequent use of revenue.

CONCLUSIONS

Based upon the City's 10-year growth projections, an estimated additional 918 ERU's will require water and wastewater service by the year 2027. For the purposes of this analysis an ERU represents a hypothetical service unit which is considered equal to a single family residential connection and is assumed to consume approximately 240 gallons per day through a standard ¾" water meter.

Currently the City's water and wastewater systems have limited capacity to serve new customers, and significant system-wide improvements may be necessary to facilitate future growth and to meet capacity needs. In order to establish an initial System Development Fee structure, a system buy-in approach which seeks to establish the monetary cost for new development to "buy" a proportionate share of existing system capacity is utilized in this analysis. The system buy-in fee is based upon current system valuations obtained from the City's annual financial reporting documents and existing capacities as stated in Local Water Supply Plan reporting. Given projected increases in ERU's, and current system valuations and capacities the City may assess a total maximum System Development Fee of **\$1,668** per ERU. For any development which requires a different size water meter, a service unit equivalent is established as a multiplier based on its operating capacity with respect to the ¾" water meter. The equivalency factors and associated System Development Fee by water meter size are shown in **Table 1**. These values represent the maximum System Development Fee assessment per ERU permissible under HB-436. The City may elect how to incorporate these values into their current fee structure, but in no case is it permissible under HB-436 to assess a fee greater than that which is supported by this analysis.

REFERENCES

¹ *An Act to Provide for Uniform Authority to Implement System Development Fees for Public Water and Sewer Systems in North Carolina and to Clarify the Applicable Statute of Limitations*. General Assembly of North Carolina. Session 2017. Session Law 2017-138; House Bill 436.

² “VII.2.” M1: Principles of Water Rates, Fees, and Charges, by Chris Woodcock et al., Seventh ed., American Water Works Association, 2017, pp. 321–347.

³ 15A NCAC 02T .0114(b). *Wastewater Design Flow Rates*. (Effective 1 September 2006). North Carolina Administrative Code.

⁴ *Comprehensive Annual Financial Report*. (Year Ended June 2017). City of Graham.

STAFF REPORT

SUBJECT:	BGMPO TRANSPORTATION FUNDING REQUEST
PREPARED BY:	FRANKIE MANESS, CITY MANAGER & NATHAN PAGE, PLANNING DIRECTOR

REQUESTED ACTION:

Approve Resolution Authorizing a Funding Match for New Pedestrian Projects in Conjunction with NCDOT.

BACKGROUND/SUMMARY:

The Burlington Graham Metropolitan Planning Organization has received the preliminary scores for the Statewide Mobility Projects, including aviation, bicycle, pedestrian, and automobile projects. Under the current regulations, the State of North Carolina pays the match for aviation and automobile projects, and requires the local jurisdictions to provide a 20% match for bicycle and pedestrian projects. Remaining funds are from the Federal transportation allocation.

Since Graham had four pedestrian projects which have scored high enough to possibly receive funding, NCDOT is requesting a commitment to meet the Federal match requirement if the project is to be constructed. The projects under review, in order of priority as identified by NCDOT are;

1. South Main Street from Gilbreath St to Ivey Road
 - a. Estimated cost for Graham is \$108,000
2. West Elm Street/ Webb Avenue from Highway 54 to Williamston Street (10% Graham, 10% Burlington)
 - a. Estimated cost for Graham is \$18,100
3. East Harden Street from Pine Street to Ivey Road
 - a. Estimated cost for Graham is \$46,400
4. East Elm Street from Albright Avenue to Parker Street
 - a. Estimated cost for Graham is \$40,000

FISCAL IMPACT:

Under the current process, the expenses are likely to occur over the next STIP cycle, meaning the City would likely be responsible for these projects sometime before 2030. In total, the City would be responsible for approximately \$212,500.

STAFF RECOMMENDATION:

Approval. While working with NCDOT increases the cost due to additional standards, the 20% match still allows Graham to save money on the new infrastructure. The current annual budget for sidewalks is \$100,000 and can be leveraged towards the required match. Therefore, if timed correctly, the need to appropriate additional funds is minimal.

SUGGESTED MOTION(S):

I move we approve the Resolution Authorizing a Funding Match for New Pedestrian Projects in Conjunction with NCDOT.

RESOLUTION AUTHORIZING A FUNDING MATCH FOR NEW PEDESTRIAN PROJECTS IN CONJUNCTION WITH NCDOT

WHEREAS, The North Carolina Department of Transportation (“NCDOT”) requires a local funding match for all bicycle and pedestrian projects; and

WHEREAS, the City has determined improving pedestrian safety and access is a necessity; and

WHEREAS, the City has requested pedestrian sidewalks on NC 87, NC 54, and NC 49; and

WHEREAS, the SPOT office of NCDOT has scored these projects as possible for construction before 2029;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM that:

Section 1. City of Graham will provide a 20% local match for the aforementioned Projects, because it will enhance the safety of the traveling public.

Section 2. The City of Graham City Council shall herein empower the City Manager to enter into a Municipal Agreement with NCDOT.

Section 3. This resolution shall be effective upon passage.

This the _____ day of _____, 2018.

Mayor

ATTEST:

City Clerk



BURLINGTON-GRAHAM URBAN AREA METROPOLITAN PLANNING ORGANIZATION

April 9, 2018

Mr. Nathan Page
Planning Director
City of Graham
PO Drawer 357
Graham, NC 27253

RE: Letter of Support for Required Local Matches and Other Contributions for P5.0 Non-Highway Ranked Projects

Dear Mr. Page,

The Burlington-Graham MPO submitted project(s) on behalf of the City of Graham for scoring and ranking in NCDOT's strategic prioritization process, developed in accordance with the Strategic Transportation Investments (STI) law. These projects were submitted and scored in P5.0 with the local matches and/or other contributions as listed below. A local match is required for STI-funded Aviation, Bicycle/Pedestrian, and Public Transportation projects (minimum of 20% for Bicycle/Pedestrian and 10% for Aviation and Public Transportation). **Local funding will be due when each project(s) is included in the final STIP**, and the project(s) is subject to additional requirements to be described in agreements with NCDOT. This letter confirms this understanding and support.

The following P5.0 Non-Highway projects were scored with the associated local matches and/or other contributions as shown:

SPOT ID	Improvement	Project Location	From	To	Total Project Cost	Minimum 20% Contribution
B171006	New Sidewalk	E. Elm Street	Albright	Parker	\$200,000	\$40,000
B171022	New Sidewalk	Webb Avenue	W. Harden	Williamson	\$181,000	\$18,100*
B171023	New Sidewalk	Harden Street	Pine	Ivey	\$232,000	\$46,400

*10% local match cost share with City of Burlington

The purpose of this letter is to advise the City of Graham that the Burlington-Graham MPO needs an affirmation (letter) of your local commitment prior to the assigning of local input points. This letter needs to be signed by the responsible official and clearly state what local funds are being committed to which specific project.

Post Office Box 1358, Burlington, North Carolina 27216-1358
Phone: (336) 513-5418; Fax: (336) 513-5410
www.bgmpo.org

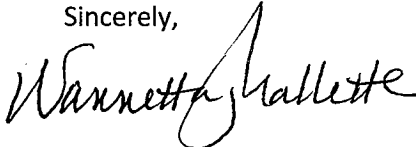
Serving:
Alamance County
City of Burlington
City of Graham
City of Mebane
Guilford County
Orange County
Town of Elon College
Town of Gibsonville
Town of Green Level
Town of Haw River
Town of Whitsett
Village of Alamance

Also be aware that if the project is selected for STI funding and the local commitment is later withdrawn, the project will be subject to re-prioritization. Your letter of support does not guarantee that any project(s) will be included in the final STIP.

The Burlington-Graham MPO appreciates your municipality's willingness to commit local funds to the project(s). **Please provide your letter of financial commitment no later than COB, Friday, May 4, 2018 to me at the address below.**

Please contact me with any questions you may have, or if you require additional information.

Sincerely,

A handwritten signature in black ink that reads "Wannetta Mallette". The signature is written in a cursive style with a large, prominent initial 'W'.

Wannetta Mallette
Burlington – Graham MPO
PO Box 1358
Burlington, NC 27216